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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRANDON BANKS, et al.,

Plaintiffs,

No. C 11-2022 PJH

v.

NISSAN NORTH AMERICA, INC.,
et al.,

Defendants.

**ORDER CONTINUING BRIEFING AND
HEARING ON MOTION FOR APPROVAL
OF CLASS NOTICE**

In the above-captioned case, plaintiffs filed a motion for approval of class notice on May 21, 2014, originally set for hearing on June 25, 2014. On June 3, 2014, the parties filed a stipulation indicating that they had “reached an agreement in principle” and were in the process of finalizing the settlement and preparing a motion for preliminary approval, and thus sought to continue the briefing and hearing schedule by approximately 30 days. The court granted the extension, and later granted two additional stipulated extensions, as the parties continued to finalize the settlement agreement. Plaintiffs’ motion is currently set to be heard on August 27, 2014.

On August 6, 2014, defendants filed their opposition to plaintiffs’ motion. Defendants explain that the parties are continuing to finalize the settlement agreement, and argue that “deferring resolution of plaintiffs’ motion until the settlement process is complete would be more efficient.” The court agrees that it would be preferable to avoid sending two sets of notices to the class – first a litigation notice, then a settlement notice – and accordingly, the court CONTINUES the briefing and hearing schedule on the motion.

1 Plaintiffs' reply brief shall be filed no later than **September 17, 2014**, and the motion shall
2 be heard on **October 1, 2014 at 9:00am**.

3 **IT IS SO ORDERED.**

4 Dated: August 11, 2014



5 **PHYLLIS J. HAMILTON**
6 United States District Judge